

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GILJON JOHNSON, )  
Plaintiffs, ) No.  
vs. ) KING COUNTY SUPERIOR COURT  
SEATTLE POLICE DEPARTMENT; CITY ) CAUSE NO. 16-2-08421-4  
OF SEATTLE; BENJAMIN KELLY, ) DECLARATION OF BENJAMIN KELLY  
Defendants. ) IN SUPPORT OF DEFENDANTS CITY OF  
 ) SEATTLE AND SPD'S NOTICE OF  
 ) REMOVAL  
)

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BENJAMIN KELLY states the following:

- 1) I am over the age of 18 and am competent to testify. I make the following declaration  
based upon my personal knowledge.
- 2) I am currently employed as a police officer by the Seattle Police Department ("SPD").
- 3) I am aware that I have been named as a defendant in the above-captioned lawsuit.
- 4) Upon information and belief, however, I have not yet been served with a copy of the  
summons and Complaint.
- 5) I am further aware that counsel for defendants City of Seattle and SPD will be filing a  
notice to remove this action from King County Superior Court to the United States  
District Court for the Western District of Washington.

DECLARATION OF BENJAMIN KELLY IN SUPPORT OF THE CITY  
DEFENDANTS' NOTICE OF REMOVAL - 1

Peter S. Holmes  
Seattle City Attorney  
701 Fifth Avenue, Suite 2050  
Seattle, WA 98104  
(206) 684-8200

- 6) I understand that the basis for this removal is that the Complaint alleges claims that raise federal questions, invoking the jurisdiction of the United States District Court.
- 7) I consent to the removal of this matter to the United States District Court.
- 8) I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 28<sup>th</sup> day of April, 2016, at Seattle, King County, Washington.

BENJAMIN KELLY

DECLARATION OF BENJAMIN KELLY IN SUPPORT OF THE CITY  
DEFENDANTS' NOTICE OF REMOVAL - 2

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